

Notice of Allowability

Application No.

09/773,339

Examiner

Kristie Shingles

Applicant(s)

SATO ET AL.

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/5/2006.
2. ☒ The allowed claim(s) is/are 1,4,5,8,10 and 13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

kds/20060907

DETAILED ACTION

RESPONSE TO AMENDMENT

Claims 1, 4, 5, 8, 10 and 13 have been amended.

Claims 2, 3, 6, 7, 9, 11, 12 and 14-21 have been cancelled.

Claims 1, 4, 5, 8, 10 and 13 are pending.

Claims 1, 4, 5, 8, 10 and 13 are allowed.

REASONS FOR ALLOWANCE

1. The following is the Examiner's statement of reasons for allowance:

The prior art or record fails to teach neither singly nor in combination, the claimed limitation of “executing traffic regulation control by changing the stations to be regulated and a number of the stations to be regulated; wherein the regulation control unit includes a regulation pattern selection table comprised of patterns P1 to Pn set every cycle C1 to Cn of the processor and a order-of-regulation-targets table comprised of patterns P1 to Pn with identification numbers of the stations set in each pattern” as stated in independent claims 1, 5 and 10 (and further illustrated by Figures 6-9, 15 and 16 and support in Applicant’s Specification on pages 11-16). Specifically, the prior art of record, fails to teach the detailed claimed limitation “wherein if the cycle number of the processor is $C_a(1 \leq a \leq n)$ while the traffic regulation control is performed, said regulation control unit reads the pattern P_a of the same number as the cycle C_a of the processor from the regulation pattern selection table and selects the top N stations in the selected pattern by using the order-of-regulation-targets table, when the number of stations to be regulated is identified by ‘N’” (as stated in independent claims 1, 5 and 10).

Although the prior art of record teach regulating traffic and congestion control, it differs

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from Applicant's claimed invention, which specifically changes the stations and the number of stations being regulated, while maintaining a cyclic pattern of stations to regulate. These limitations, in conjunction with other limitations in the independent and dependent claims, are not specifically disclosed or remotely suggested in the prior art of record. A review of claims 1, 4, 5, 8, 10 and 13, in view of the Examiner's remarks above, indicates that these claims are allowable over the prior art of record.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

3. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure: Jain (5,193,151), Soumiya et al (6,671,257), Knutsson et al (6,128,506), Jensen et al (6,067,572).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

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